Electronically Filed on: October 23, 2006

PATENT
Attorney Docket No. 6270-709.301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant: Elizabeth S. Light

Patent No. 7,087,379

Issued: August 8, 2006

For: Method Of Detecting Single Gene Copies In-Situ

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR OFFICE MISTAKE (37 C.F.R. 1.322)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Certificate of Correction Branch

Sir:

1. It is noted that an error of a minor nature or character appears in this patent due to a mistake on the part of the U.S. Patent and Trademark Office, as more fully described below. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is requested.

2. Attached hereto, in duplicate, is Form PTO/SB/44 (PTO-1050), with at least one copy being suitable for printing.

3. The place in the application where the error occurs is in the Amendment dated February 21, 2006 on Claim 27. The amendments to Claim 27 were not incorporated into the claim listed in the patent (see claim 27 as amended below). Claim 27 is now Claim 1 in the patent due to canceled claims.

27. (Currently Amended) A method of visually detecting a single copy of the Her-2/neu gene in chromosomal DNA in an intact cell in a tissue sample using brightfield microscopy, comprising:

heating the tissue ~~or cell~~ sample sufficiently to dissociate the native chromosomal target strands of Her-2/neu DNA;

enzymatically digesting the tissue in the tissue sample;

contacting ~~said~~ the tissue ~~or cell~~ sample with a digoxigenin-labeled nucleic acid Her-2/neu probe specific for the Her-2/neu gene under conditions that allow the re-hybridization of the labeled nucleic acid Her-2/neu probe and target strands of Her-2/neu DNA to form a target-probe duplex;

contacting the target-probe duplex with an anti-digoxigenin antibody under conditions allowing the antibody to bind to the label;

contacting the anti-digoxigenin antibody with an enzyme and a chromogen composition under conditions allowing the development of a visually detectable chromogen substrate signal at each target-probe duplex in the nucleus of the cell in the tissue sample separate and distinct from the chromogenic signals of other copies of the Her-2/neu gene ~~said chromosomal target nucleic acid sequence~~; and

detecting the chromogenic substrate signal visually using brightfield microscope conditions.

4. Please send the Certificate to:

Shirley Chen, Ph.D., Esq.
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, California 94304-1050

5. No fee is believed to be due in connection with this request, since the error was on the part of the U.S. Patent and Trademark Office, and was not due to any erroneous submission, or omission, by Applicants.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees, or credit any overpayment to Deposit Account No. 23-2415 (Docket No. 6270-709.301).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: Oct. 23, 2006

By: _____
Shirley Chen, Ph.D., Esq.
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PTO/SB/44 (04-05)
Approved for use through 04/30/2007. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,087,379

APPLICATION NO. : 09/863,125

DATED : May 22, 2001

INVENTOR(S) : Elizabeth S. Light

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below.

Column 12, line 66, after intact cell, please insert "in a tissue sample--.

Column 13, line 1, after heating the tissue, please delete [or cell].

Column 13, line 2 and 3, after Her-2/neu DNA;, please insert --enzymatically digesting the tissue in the tissue sample;--.

Column 13, line 4, after contacting, please delete [said] and insert --the-- and after tissue, please delete [or cell].

Column 14, line 2, after duplex, please insert --in the nucleus of the cell in the tissue sample--.

Column 14, line 3, after nucleus of the, please delete [intactl].

Column 14, line 3, after cell, please insert --in the tissue sample--.

Column 14, line 4, after other copies of, please delete [said chromosomal target nucleic acid sequence] and insert --the Her-2/neu gene--.

MAILING ADDRESS OF SENDER: (Please do not use customer number below)
Wilson Sonsini Goodrich & Rosati
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